



**DES PLAINES PLANNING AND ZONING BOARD MEETING
September 10, 2024
MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, September 10, 2024, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Chairman Szabo called the meeting to order at 7:02 p.m. and roll call was established.

PRESENT: Weaver, Fowler, Saletnik, Veremis, Szabo
ABSENT: Catalano, Bronakowski
ALSO PRESENT: Samantha Redman, Senior Planner
Jeff Rogers, Director of Community & Economic Development

A quorum was present.

APPROVAL OF MINUTES

A motion was made by Board Member Fowler, seconded by Board Member Veremis to approve the meeting minutes of August 27, 2024, with corrections provided to staff.

AYES: Weaver, Fowler, Saletnik, Veremis, Szabo
NAYS: None
ABSTAIN: None

*****MOTION CARRIED*****

PUBLIC COMMENT ON NON-AGENDA ITEM

There was no public comment.

Pending Applications:

Chairman Szabo introduced the case on the agenda.

1. Address: 1345 E. Prairie Ave

Case Number: 24-044-CU-V

PIN: 09-17-423-011-0000

Petitioner: St. Vakhtang Gorgasali Orthodox Church (Representative: Arsen Mskhvilidze, 400 E. Illinois Road, Lake Forest, IL 60045)

Case Number: 24-044-CU-V

The petitioner is requesting the following items: (i) a conditional use for a residentially zoned assembly use and (ii) a major variation for off-street parking requirements in the R-4 Central Core Residential district. **The petitioner is requesting a continuance to the September 24, 2024 meeting.**

Chairman Szabo read the continuance request into the record and asked why the petitioner is requesting additional time. Senior Planner Redman stated the petitioner is still working on final revisions of the application related to parking. The Board grants the continuance to the September 24, 2024 meeting.

A motion was made by Member Saletnik and seconded by Member Fowler to continue this case to the September 24, 2024 meeting.

AYES: Weaver, Fowler, Saletnik, Veremis, Szabo
NAYES: None
ABSTAIN: None

*****MOTION CARRIED*****

2. Address: 1545-1575 Lee Street

Case Number: 24-035-CU

PIN's: 09-20-400-051-0000 and 09-20-400-052-0000

Petitioner: Pepi Company of Illinois, LLC d/b/a Alonti Catering Kitchen, 3512 Lake Street, Houston, TX 77098

Case Number: #24-035-CU

The petitioner is requesting a conditional use to operate a food processing establishment in the C-4, Regional Shopping District on the subject property, and any variations, waivers, and zoning relief as may be necessary.

Chairman Szabo introduced the case.

Attorney Bernard Citron, Thompson Coburn, and business owner George Pepi were sworn in.

Mr. Citron summarized the applicant's request. The tenant space has been vacant for an extended period. The applicant has coordinated with staff previously regarding a text amendment to the Code to authorize the proposed use as a conditional use upon the property. In accordance with the requirements of the amendment to the Code, the applicant will provide opportunity for online, telephone, and in person ordering for delivery or pick-up only in this tenant space. The only difference is that you cannot eat there. The applicant, Alonti Catering currently has four active locations in the region. The applicant intends to comply with all five conditions of approval listed in staff's sample motion.

Mr. Citron confirmed that the proposed use would utilize private vehicles of their employees to deliver catering orders and do not intend to store delivery vehicles on the property overnight. Deliveries are done by the individual employees.

Mr. Citron noted that the business has been in existence for more than 50 years. This will be the 5th location in Chicago. Also, it will be located in a convenient spot.

Member Weaver inquired about the size of a typical order.

Mr. Pepi noted that a typical order is approximately \$400-\$500 with the largest orders exceed \$4,000-\$5,000.

Member Weaver inquired about the quantity of people that would be served by a large order.

Mr. Pepi confirmed that their largest orders typically accommodate several hundred people.

Member Weaver inquired whether private employee vehicles would be sufficient to deliver such large orders.

Mr. Pepi noted that when such large orders are received, the business typically rents a truck for one-time use to transport all of the order in one trip.

Member Veremis inquired about the proposed location of loading of vehicles for deliveries.

Mr. Pepi noted that the majority of orders would be carried to vehicles in the parking lot. Medium size orders might involve loading in the drive aisle in front of the building and large orders would involve loading in the rear of the building.

Chairman Szabo requested a summary of the staff report.

Senior Planner Redman provided a summary of the staff report. The petitioner is requesting a conditional use to allow a food processing establishment in the C-4, Regional Shopping District.

- PINs:** 09-20-400-051-0000 & 09-20-400-052-0000
- Petitioner/Owner:** Pepi Company of Illinois, LLC, d/b/a Alonti Catering Kitchen,
3512 Lake Street, Houston, TX 77098
- Case Number:** #24-035-CU
- Ward Number:** #5, Alderman Carla Brookman
- Existing Zoning:** C-4, Regional Shopping District
- Surrounding Zoning:** North: C-3, General Commercial District and M-1, Limited
Manufacturing
South: R-1, Single Family Residential
East: Railroad
West: C-4, Regional Shopping District
- Surrounding Land Uses:** North: Restaurant building and manufacturing building
South: Single Family Residences
East: Railroad
West: Shopping center
- Street Classification:** Lee Street is classified as a principal arterial road under Illinois
Department of Transportation (IDOT) jurisdiction. The portion of
Oakton Street adjacent to the property is classified as a secondary
road under the City of Des Plaines jurisdiction.
- Comprehensive Plan:** The Comprehensive Plan illustrates this site as commercial.
- Property/Zoning History:** The Oaks Shopping Center was constructed in the mid-1980s. The
specific units for this conditional use most recently included a
flooring company and a nail salon. The nail salon was relocated to a
different unit in the shopping center and the unit with the flooring
company has been vacant since 2020.
- The Planning and Zoning Board and City Council reviewed and
approved first reading of an ordinance for a text amendment to allow
a food processing establishment (the use that catering falls under) in
the C-4, Regional Shopping District, if a public facing component
was added to the business and the total number of commercial
vehicles parked overnight restricted to one per 1,000 square feet of
floor area. The text amendment was approved unanimously by the

City Council on first reading at the September 3rd City Council meeting and second reading for the final decision will be on September 16th. This conditional use is dependent on the approval of the text amendment.

Project Description:

Pepi Company of Illinois, LLC, operating at Alonti Catering Kitchen, are seeking to open a food processing establishment (also called a catering kitchen) in a combined tenant space in The Oaks Shopping Center at 1545-1547 Lee Street. This property is zoned C-4, Regional Shopping District. The definition of a food processing establishment is below:

“Establishments producing or processing foods and certain related products. Includes: a) bakery products, sugar and confectionery products (except facilities that produce goods only for on site sales with no wider distribution); b) dairy products processing; c) fat and oil products (not including rendering plants); d) fruit and vegetable canning, preserving, and related processing; e) grain mill products and byproducts; f) meat, poultry, and seafood canning, curing, and byproduct processing (not including facilities that also slaughter animals); and g) miscellaneous food preparation from raw products, including catering services that are independent from food stores or restaurants” (Section 12-13-3).

Refer to the Petitioner’s Narrative for business operation information. The petitioner describes their business as a catering kitchen without on-site dining and food consumption; instead, the operations are focused on delivery and carryout orders. All food is made on site and delivered by employees.

The petitioner’s application materials state that approximately twelve employees, two managers, and ten crew members are anticipated to be employed by this business. The space to be used for this business would require a building permit to add all kitchen, ventilation and other necessary facilities. Business hours, as stated in the Petitioner’s Narrative, are from 7 a.m. to 4:30 p.m. However, employees arrive at 5 AM and some deliveries may occur overnight or in the early morning.

To fulfill the requirement in Footnote 26 of the C-4 zoning district for food processing establishments, a carryout option is available for customers to purchase food ahead of time and pick up from the store front. A condition of approval states this option should be available during business hours a minimum of five days per week.

Off-Street Parking

Shopping centers require 3 spaces for every 1,000 square feet of gross floor area (pursuant to Section 12-9-7). Although the precise quantity of required parking stalls will be confirmed at time of building permit for the interior buildout of the unit, it is anticipated sufficient parking is available for this use in this location. The approximate total floor area of the building is 113,400 square feet, requiring 341 parking spaces for all uses. Excluding the Wendy's parking lot, 595 parking spaces are available in this shopping center.

The zoning ordinance also permits the exclusion of certain areas of a building from the parking calculation such as restrooms, storage areas, and mechanical rooms; if this reduction is calculated, the total required parking count would be an even more substantial surplus of parking.

No vehicles are anticipated to be parked overnight; however, the C-4 zoning district allows for 1 commercial vehicle per 1,000 square feet to be parked on the property. Although none are currently proposed, given the size of the combined tenant space of 2400 square feet, up to 2 vehicles could be parked onsite overnight, by right. A condition of approval states that any overnight parking of vehicles with advertising for the company may not be parked on the property in such a way that they would serve as an extra sign for the business.

Traffic and Loading

No changes to access on this property are proposed. Loading and unloading generated by this use would include vehicle trips associated with employees, customers and deliveries. Loading and unloading will occur in the existing rear loading dock of the building (refer to Loading Space attachment). There are anticipated to be biweekly deliveries from Sysco and daily produce deliveries are completed in the early morning or night hours. This loading area is in the rear of the tenant space, east of the building adjacent

to the railroad. Delivery trucks of approximately 50 feet in length will use this loading area.

Individual deliveries of prepared meals to customers will be within the personal vehicles of employees, which are typical sedan sized vehicles. 12-18 deliveries are projected per day, occurring between 6:00 a.m. and 7:00 a.m. for breakfast and 10:00 a.m. and 11:00 a.m. for lunch. Delivery drivers are anticipated to return at approximately 2:00 p.m. Loading and unloading of these deliveries may occur either in the loading dock to the rear or carried from the storefront to the parking lot.

A condition of approval states that any loading/unloading should be completed expeditiously and no overnight parking of vehicles is permitted in the loading dock or in the drive aisle in front of the proposed catering facility unit.

Standards for Conditional Use

The following is a discussion of standards for conditional uses from Section 12-3-4(E) of the Zoning Ordinance. Rationale for how the proposed use would satisfy the standards is provided below and in the petitioner's response to standards. The PZB may use this rationale toward its recommendation, or the Board may make up its own.

1. The proposed Conditional Use is in fact a Conditional Use established within the specific Zoning district involved:

Comment: Food processing establishments are a conditional use in the C-4 zoning district.

2. The proposed Conditional Use is in accordance with the objectives of the City's Comprehensive Plan:

Comment: The 2019 Comprehensive Plan illustrates this area to be used for Commercial. This business would create a partially commercial use in this shopping center. Food processing establishments can be classified as a manufacturing use in certain circumstances, but the inclusion of the carryout option with the business provides some commercial activity.

3. The proposed Conditional Use is designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity:

Comment: This use will be within an existing building and not physically alter the existing character of the shopping center or neighborhood. The carryout option is intended to provide a more active commercial use that fits within the character of this shopping center.

4. The proposed Conditional Use is not hazardous or disturbing to existing neighboring uses:

Comment: As discussed in the Petitioner’s Narrative, the business hours will operate daily from 7:00 a.m. to 4:30 p.m., with employees arriving around 5 a.m. and some deliveries occurring overnight or in the early hours. This property abuts a railroad, with residential properties on the opposite side. It is not anticipated this use will create any disturbance out of character with the remainder of the current or previous shopping center uses.

5. The proposed Conditional Use is to be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or, agencies responsible for establishing the Conditional Use shall provide adequately any such services:

Comment: The existing building has been adequately served by essential public facilities and services. Staff have no concerns that the proposed use will not be adequately served with essential public facilities and services.

6. The proposed Conditional Use does not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic well-being of the entire community:

Comment: The proposed use would not create a burden on public facilities or services. This business would be located within an existing building and it is not anticipated that this use would generate additional need for public facilities or services compared to any other unit within this shopping center.

7. The proposed Conditional Use does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors:

Comment: Traffic generated by this use will include trips generated for employees, deliveries, and carry out customers. Refer to Traffic and Loading section of this report for details on deliveries and hours. No extraordinary glare, smoke fumes, or odors are anticipated to occur with the operation of this business; however, any business within Des Plaines must meet Chapter 12 – Environmental Performance Standards of the Zoning Ordinance regulating noise, odor, glare, and any other specified nuisances, otherwise enforcement action can be taken.

8. The proposed Conditional Use provides vehicular access to the property designed so that it does not create an interference with traffic on surrounding public thoroughfares:

Comment: Access to the building will be provided through the existing entrances to the shopping center and loading area behind the unit. No additional curb cuts are proposed for this property.

9. The proposed Conditional Use does not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance:

Comment: The proposed use would not result in the damage of natural, scenic, or historic features.

10. The proposed Conditional Use complies with all additional regulations in the Zoning Ordinance specific to the Conditional Use requested:

Comment: The proposed use complies with all applicable requirements as stated in the Zoning Ordinance.

PZB Procedure and Recommended Conditions: Under Section 12-3-7.D (Procedure for Review and Decision for Amendments) of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve or deny the above-mentioned conditional use. Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4.E (Standards for Conditional Use). If the PZB recommends and City Council ultimately approves the request, staff recommends the following conditions.

1. Loading and unloading within any drive aisle directly in front of the unit or within the rear loading dock shall be completed promptly and no delivery vehicles shall be left unattended.
2. Regular use of refrigerated trucks or other temporary storage units for the storage of inventory upon the property is prohibited. Temporary storage associated with unique circumstances can be considered on a case-by-case basis subject to the review and approval by the Director of Community & Economic Development or their designee after submittal of a request in writing outlining the proposed timeframe, location on the site, and other details relating to the temporary use.
3. An commercial vehicles for this property shall only be parked overnight in accordance with Footnote 26 of Section 12-7-3.K and shall not be parked in such a way that any advertising located on the vehicle is readily visible from any public way so as to serve as a sign for the business.
4. When the business is operating, carryout options open to the public must be available during regular business hours a minimum of five days a week.

5. The vinyl curtain strips located across the exterior loading door must be either replaced or removed prior to issuance of business registration.

Senior Planner Redman provided a summary of the case. The proposed text amendment is awaiting second and final consideration by the City Council. The current application is being considered contingent upon the adoption of the text amendment by the City Council on September 16, 2024.

Senior Planner Redman summarized the City's requirements prohibiting utilization of vehicles parked adjacent to the public right-of-way as signage.

Chairman Szabo opened the public hearing.

No one from the public came forward to speak.

Chairman Szabo closed the public hearing.

A motion was made by Member Weaver and seconded by Member Saletnik to recommend approval to the City Council inclusive of the five conditions included in the staff report.

AYES: Weaver, Fowler, Saletnik, Veremis, Szabo
NAYES: None
ABSTAIN: None

MOTION CARRIED

ADJOURNMENT

Chairman Szabo adjourned the meeting by affirmative voice vote at 7:21 p.m.

Sincerely,
Jeff Rogers/Recording Secretary
cc: City Officials, Aldermen, Planning & Zoning Board, Petitioners